

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Roads and Buildings – Disciplinary Proceedings initiated against Sri A. Bapi Raju, Executive Engineer (R&B) (Retired) on the allegation of the irregularities in purchase of caution / sign boards in East and West Godavari Districts – Hon'ble High Court of Andhra Pradesh Orders dt.13.08.2011 in W.P. No. 17785/2009 – Implemented - Release of pensionary benefits - orders - Issued.

TRANSPORT, ROADS & BUILDINGS (VIGI.1) DEPARTMENT

G.O.Rt.No. 23

Dated:09 -01-2012

Read the following:

- 1) G.O.Rt.No.1042, T,R & B (S.I.2) Deptt. Dt.17.09.2003.
- 2) G.O.Rt.No.1244, T,R&B (Vig.I.1) Deptt., Dt.05.09.2007, and G.O.Rt.No.1629, T, R & B (Vig.I.1) Deptt., Dt. 04.11.2008.
- 3) Hon'ble APAT orders dt.23.08.2007 in O.A.No.5774/2005 filed by Sri A. Bapi Raju, Executive Engineer (R&B) (Retired).
- 4) From the Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad Lr. No. 9205/Ser.I(2)/99, dt. 03.04.2008.
- 5) Govt. Memo. No. 12820/VIG.I(1)/2005-11, dt. 23.04.2008.
- 6) From the Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad Lr. No. 9205/Ser.I(2)/99, dt. 17.08.2009.
- 7) Hon'ble High Court of Andhra Pradesh orders dt.13.08.2011 in W.P.No.17785/2005 filed by the ENC (R&B) Admn. Hyderabad.
- 8) From the Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad D.O. Lr.No.9205/Ser.I(2)/99, Dt.13.12.2011.

ORDER:

Charges were framed against Sri A. Bapi Raju, Executive Engineer (R&B), Bhimavaram, (Retired), vide reference first read above, on the allegation of the irregularities in purchase of caution boards through quotations in violation of instructions in East Godavari and West Godavari districts; and, Inquiring Authority was appointed, vide reference second read above, to conduct detailed inquiry into the charges framed against Sri A. Bapi Raju, Executive Engineer (R&B) (Retired), among others.

2. Aggrieved by the above Charge Memo, Sri A. Bapi Raju, Executive Engineer (R&B) (Retired), filed OA, in Hon'ble Andhra Pradesh Administrative Tribunal, which ordered on 23-08-2007 in the reference third read above, in O.A.No. 5774/2005 stating that the Charge Memo., dt.17.09.2003 (reference first read above) was issued beyond four years; that the impugned action of issuing the Charge Memo was directly hit by Rule 9(1) (b) of the Revised Pension Rules; that this action of the respondents itself is sufficient to quash the impugned Charge Memo; that the impugned G.O.Rt.No.1042, dt.17.09.2003 is set aside; and, that the respondents are directed to process the pension papers of the applicant and to release all the Retiring benefits.

3. Aggrieved by the above said orders, the Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad was permitted to file an appeal before the Hon'ble High Court of Andhra Pradesh, vide reference fifth read above; the Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad filed W.P. No. 17785/2009 before the Hon'ble High Court of Andhra Pradesh in the reference sixth read above; and, the Hon'ble High Court of Andhra Pradesh, ordered on 13.08.2011, vide reference seventh read above in W.P.No.17785/2009, stating that the articles of charge are with regard to the event that allegedly took place during 1997-98; that the issue of G.O.Rt.No.1042, dt.17.09.2003 is clearly prohibited by the Rule 9(2)(b)(ii) of the Revised Pension Rules; and, ordered that they did not find any reason to differ the view taken by the Tribunal".

(P.T.O)

4. On this, the Engineer-in-Chief (R&B) Administration & N.H., Hyderabad requested, vide reference eighth read above, to issue necessary instructions on release of pensionary benefits to Sri A.Bapi Raju, Executive Engineer (R&B), (Retired), as per the orders dt.23.08.2007 of Hon'ble Andhra Pradesh Administrative Tribunal in O.A. No. 5774/2005, and, orders dt.13.08.2011 of Hon'ble High Court of Andhra Pradesh in W.P.No.17785/2009.

5. Government, after careful consideration of the orders of the Hon'ble High Court of Andhra Pradesh, dt.13.08.2011 in W.P.No.17785/2009, read with orders dt.23.08.2007 of the Hon'ble Andhra Pradesh Administrative Tribunal in O.A. No. 5774/2005, decide and hereby order release of pensionary benefits to Sri A. Bapi Raju, Executive Engineer (R&B) (Retired on 31.12.1999); and also order withdrawal of the name of Sri A. Bapi Raju, Executive Engineer (R&B) (Retired on 31.12.1999) from the enquiry ordered in the reference second read above.

6. The Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad, shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri A. Bapi Raju, Executive Engineer (R&B), (Retired), **Through** The Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad.

The Engineer-in-Chief (R&B) Administration & National Highways, AP, Hyderabad.

Copy to:

The Secretary, Andhra Pradesh Vigilance Commission, A.P., Hyderabad.

The General Administration (V&E) Department, BRK Bhavan, Hyderabad.

The General Administration (COI.SB) Department.

The Accountant General, Andhra Pradesh Hyderabad.

The Deputy Accountant General (Pensions), A.P., Hyderabad.

SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER